

CONFLICT OF INTEREST CODE OF THE LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY

The Political Reform Act, California Government Code Sections 81000, *et seq.* (the "Act"), requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, set forth in 2 California Code of Regulations Section 18730, that contains the terms of a standard conflict of interest code, which state and local government agencies can incorporate by reference into their conflict of interest codes. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments to the Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference into the Local Agency Formation Commission of Santa Clara's ("LAFCO") Conflict of Interest Code. This incorporation page, Regulation 18730, and the attached Appendix designating officials and employees and establishing disclosure categories, shall collectively constitute LAFCO's Conflict of Interest Code (the "Code"). The requirements of the Code are in addition to other requirements of the Act and to other state or local laws pertaining to conflicts of interest. (Government Code §81002(c); 2 California Code of Regulations. §18730(a).)

All Officials and Designated Employees required to submit a statement of economic interests pursuant to this Conflict of Interest Code shall file their statements with the LAFCO Clerk, as LAFCO's Filing Official. The Filing Official shall make and retain a copy and forward the original to the County of Santa Clara Clerk of the Board of Supervisors. The Filing Official will make all retained statements available for public inspection and reproduction, pursuant to California Government Code Section 81008.

Adopted by LAFCO Resolution #: 2010-03 Date: April 21, 2010

Approved by the County of Santa Clara Board of Supervisors Date: November 23, 2010

Effective: November 23, 2010

APPENDIX
CONFLICT OF INTEREST CODE OF THE LOCAL AGENCY FORMATION
COMMISSION OF SANTA CLARA COUNTY

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

LAFCO Officials who manage public investments, as defined by 2 California Code of Regulations Section 18701(b), are NOT subject to LAFCO's Code, but are subject to the disclosure requirements of the Political Reform Act. (Government Code §87200, *et seq.*; 2 California Code Regulations. §18730(b)(3).)

LAFCO currently has no officials who manage public investments.

DESIGNATED POSITION	DISCLOSURE CATEGORY
Commissioner	1
Alternate Commissioner	1
Executive Officer	1
Assistant Executive Officer/ Analyst	1
General Counsel	1
Consultant	2

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business positions, sources of income, including gifts, loans or travel payments, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Disclosure Category 1: (a) All investments and business positions in business entities, and sources of income, including gifts, loans or travel payments, located in, that do business in, plan to do business in or have done business within the previous two years in the jurisdiction of LAFCO; and (b) All interests in real property which is located in whole or in part within, or not more than two miles outside, the jurisdiction of LAFCO.

Disclosure Category 2: Consultants shall disclose pursuant to the broadest disclosure category: (a) All investments and business positions in business entities, and sources of income, including gifts, loans or travel payments, located in, that do business in, plan to do business in or have done business within the previous two years in the jurisdiction of LAFCO; and (b) All interests in real property which is located in whole or in part within, or not more than two miles outside, the jurisdiction of LAFCO. Notwithstanding the foregoing, the Executive Officer may determine in writing that a consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Category. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.